

Atty Dkt No: PP00054.009

USSN: 08/453,350

PATENT

REMARKSIntroductory Comments:

Claims 25-27, 43-45 and 55-66 were examined in the Office Action under reply. Claims 27, 45, 60, 62 and 65 were indicated as allowed; claims 57-59, 63 and 66 were objected to; and claims 25, 26, 43, 44, 55, 56, 61 and 64 were rejected under 35 U.S.C. §102(e). These rejections are respectfully traversed as discussed more fully below.

Overview of the Above Amendments:

Claims 25, 26, 46-54, 61, 63, 64 and 66 have been cancelled and claims 43, 44 and 57-59 amended to recite the subject invention with greater particularity. Specifically, claims 43 and 44 have been amended to depend from claims 58 and 59, respectively, rather than from cancelled claims 25 and 26. Claim 57 has been amended to depend from claim 45 rather than cancelled claim 44. Additionally, claims 58 and 59 have been rewritten in independent format to incorporate the recitations of the base claims from which these claims previously depended.

Cancellation of claims 25, 26, 46-54, 61, 63, 64 and 66 and amendment of claims 43, 44 and 57-59 is made without prejudice, without intent to abandon any originally claimed subject matter, and without intent to acquiesce in any rejection of record. Applicants expressly reserve the right to file one or more continuing applications hereof containing the canceled or unamended claims.

Claim Objections:

Claims 57-59, 63 and 66 were objected to by the Office. Claims 63 and 66 have been cancelled. With respect to claim 57, the Examiner noted the claim included an error in dependency. This error has now been corrected. Additionally, claims 58 and 59 were objected to as depending on rejected claims but were indicated as allowable if rewritten in independent format to incorporate the limitations of the base claims. Applicants have so done. Thus, the above bases for objection have been overcome.

Atty Dkt No: PP00054.009

USSN: 08/453,350

PATENT

Claim Rejections:

Claims 25, 26, 43, 44, 55, 56, 61 and 64 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,004,929 to Murray et al. ("Murray"). The Examiner contends Murray describes a PDGF A-chain homodimer having 104 amino acids identical to amino acids 87-190 of applicants' A-chain. Without conceding the merits of the rejection, applicants have cancelled claims 25, 26, 61 and 64 and amended claims 43 and 44 to depend from claims 58 and 59, respectively, both indicated as allowable. Claims 55 and 56 also ultimately depend from claims 58 and 59. Accordingly, all claims are directed to allowable subject matter. Thus, this basis for rejection has been overcome and withdrawal thereof is respectfully requested.

Atty Dkt No: PP00054.009

USSN: 08/453,350

PATENT

CONCLUSION

Applicants respectfully submit that the claims define a patentable invention.
Accordingly, a Notice of Allowance is believed in order and is respectfully requested.

Please direct all further written communications in this application to:

Lisa E. Alexander, Esq.
Chiron Corporation
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097

Respectfully submitted,

Date:

12/15/03

By:

[Signature]

Roberta L. Robins
Registration No. 33,208
Attorney for Applicant

CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (650) 493-3400
Fax: (650) 493-3440